

# An Act

SENATE BILL 23-051

BY SENATOR(S) Hinrichsen and Sullivan, Bridges, Coleman, Cutter, Danielson, Exum, Fields, Gonzales, Hansen, Jaquez Lewis, Kolker, Marchman, Rodriguez, Winter F.;  
also REPRESENTATIVE(S) Ortiz and Lukens, Amabile, Bacon, Brown, Duran, English, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Lindsay, Lindstedt, Mabrey, McCormick, Michaelson Jenet, Parenti, Ricks, Titone, Velasco, Weissman, Woodrow, Young, McCluskie.

CONCERNING PREPARATION OF A SKILLED WORKFORCE FOR THE CHANGING  
NATURE OF WORK.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** article 15.8 to title 8 as follows:

## **ARTICLE 15.8** **Office of Future of Work**

**8-15.8-101. Legislative declaration - intent.** (1) THE GENERAL ASSEMBLY HEREBY:

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(a) FINDS AND DETERMINES THAT:

(I) COLORADO'S POLICYMAKERS FROM ALL BACKGROUNDS FACE SIGNIFICANT CHALLENGES IN RESPONDING TO THE RAPIDLY CHANGING NATURE OF WORK;

(II) A CHANGING GLOBAL ECONOMY, RAPIDLY EMERGING TECHNOLOGY, DEMOGRAPHIC CHANGES, NEW ECONOMY DEMANDS, SHIFTING SKILL NEEDS, AND THE RISING COST OF EDUCATION, HEALTH CARE, AND HOUSING ARE JUST A FEW FACTORS LEADING TO LABOR DISRUPTIONS; AND

(III) WHILE THESE CHANGES HAVE BROUGHT IMMENSE ECONOMIC BENEFIT FOR SOME, THEY HAVE ALSO CONTRIBUTED TO STAGNANT WAGES, DECLINING WORKER BENEFITS, WEAKENED WORKPLACE PROTECTIONS, AND, IN SOME CASES, PERMANENT JOB LOSSES; AND

(b) DECLARES THAT:

(I) POLICYMAKERS, GOVERNMENT OFFICIALS, EMPLOYERS, EDUCATION AND TRAINING INSTITUTIONS, AND OTHER STAKEHOLDERS MUST:

(A) WORK TOGETHER TO CREATE AN ECONOMY THAT HELPS WORKERS ADAPT TO THE NEW AND CHANGING JOB LANDSCAPE; AND

(B) USE ALL TOOLS AVAILABLE TO ENSURE THAT WORKERS AND EMPLOYERS WITHSTAND FUTURE JOB DISRUPTIONS CAUSED BY CHANGES IN TECHNOLOGY, TRADE, AND ORGANIZATIONAL STRUCTURE; AND

(II) COLORADO MUST UNDERSTAND, PREPARE FOR, AND DEVELOP EFFECTIVE STRATEGIES TO RESPOND TO THESE CHANGES.

(2) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE OFFICE OF FUTURE OF WORK WILL:

(a) SERVE AS THE CENTRAL POINT OF CONTACT FOR THE STATE'S EFFORTS TO RESPOND TO THE RAPIDLY CHANGING NATURE OF WORK;

(b) INCREASE AWARENESS OF THE CHALLENGES ASSOCIATED WITH THE FUTURE OF WORK AND DEVELOP PRIORITIES TO FOCUS STATE RESOURCES ON MEETING THOSE CHALLENGES;

(c) CENTRALIZE RESPONSIBILITY AND ACCOUNTABILITY FOR RESEARCHING, ANALYZING, AND DEVELOPING RECOMMENDATIONS ON THIS ISSUE; AND

(d) ENCOURAGE AND CONVENE PARTICIPATION FROM A VARIETY OF SECTORS AND STAKEHOLDERS IN COLORADO'S ECONOMY.

**8-15.8-102. Definitions.** AS USED IN THIS ARTICLE 15.8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT CREATED IN SECTION 24-1-121.

(2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(3) "OFW" MEANS THE COLORADO OFFICE OF FUTURE OF WORK CREATED IN SECTION 8-15.8-103.

**8-15.8-103. Colorado office of future of work - creation - powers and duties - report.** (1) THERE IS CREATED IN THE DEPARTMENT THE OFFICE OF FUTURE OF WORK, THE HEAD OF WHICH IS THE DIRECTOR OF THE OFFICE OF FUTURE OF WORK.

(2) THE OFW IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

(3) IT IS THE PURPOSE OF THE OFW TO:

(a) IDENTIFY OPPORTUNITIES FOR COLORADO'S COMMUNITIES TO TRANSITION EFFECTIVELY TO EMERGING INDUSTRIES AND, WHERE APPROPRIATE, CONSULT WITH THE JUST TRANSITION OFFICE, CREATED IN SECTION 8-83-503, AND OTHER STATE AGENCIES TO ALIGN SUCH EFFORTS;

(b) ENSURE THE INCLUSION OF KEY STAKEHOLDERS FROM ALL SECTORS AND ENGAGE PARTNERSHIPS ACROSS PUBLIC AND PRIVATE SECTORS, INCLUDING INDUSTRY, ACADEMIA, EMPLOYERS, EMPLOYEES, NONPROFIT ORGANIZATIONS, AND GOVERNMENT;

(c) HOST, ORGANIZE, AND CONVENE TASK FORCES, SUMMITS, AND OTHER APPROPRIATE MEETINGS WITH DIVERSE STAKEHOLDERS, DESIGNED TO IMPROVE THE STATE'S UNDERSTANDING OF THE SOCIAL AND ECONOMIC IMPACTS OF THE CHANGING NATURE OF WORK;

(d) EXPLORE WAYS THAT THE STATE CAN PREPARE FOR CURRENT AND FUTURE IMPACTS, INCLUDING THROUGH THE MODERNIZATION OF WORKER BENEFITS AND PROTECTIONS, THE DEVELOPMENT OF A SKILLED AND RESILIENT WORKFORCE THROUGH COORDINATION OF REGISTERED APPRENTICESHIP PROGRAMS IN COLORADO, AND THE IDENTIFICATION OF NEW POLICY AND PROGRAM SOLUTIONS; AND

(e) AS FUNDING ALLOWS, UNDERTAKE STUDIES, RESEARCH, AND FACTUAL REPORTS TO GATHER INSIGHT AND TO FORMULATE AND PRESENT RECOMMENDATIONS TO THE GOVERNOR, STATE AGENCIES, AND THE GENERAL ASSEMBLY RELATED TO ISSUES OF CONCERN AND IMPORTANCE TO COLORADO'S FUTURE WORKFORCE.

**8-15.8-104. Reports - recommendations.** (1) THE OFW SHALL PERIODICALLY MAKE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR TO MAKE ADJUSTMENTS TO THE SCOPE AND EXPECTED WORK PRODUCT OF THE OFW, AS NECESSARY, TO ADJUST TO CHANGING ECONOMIC CONDITIONS.

(2) AT LEAST ONCE EVERY CALENDAR YEAR BEGINNING IN 2023, THE EXECUTIVE DIRECTOR SHALL SUBMIT A REPORT TO THE GOVERNOR THAT INCLUDES RECOMMENDATIONS FOR POTENTIAL POLICY INITIATIVES.

**8-15.8-105. Funding for the office.** THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE GENERAL FUND OR FROM ANY OTHER AVAILABLE SOURCE TO THE DEPARTMENT FOR ALLOCATION TO THE OFW FOR THE PURPOSES SPECIFIED IN THIS ARTICLE 15.8. THE OFW MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS ARTICLE 15.8.

**SECTION 2.** In Colorado Revised Statutes, **repeal** 8-77-110 as follows:

**8-77-110. Office of future work - study - report.** ~~(1) The office of future work in the department of labor and employment, created by executive order B-2019-009, shall, within the scope of the executive order,~~

~~study unemployment assistance as part of its study on the modernization of worker benefits and protections:~~

~~(2) On or before January 15, 2021, the office of future work shall submit an initial report as directed by executive order B-2019-009 to the governor and to the business, labor, and technology committee of the senate and the business affairs and labor committee of the house of representatives; or their successor committees.~~

**SECTION 3.** In Colorado Revised Statutes, 8-15.7-101, **amend** (2)(c), (3), (4), (6), (14), (15), and (17); **repeal** (10); and **add** (6.3), (6.5), (9.5), (12.5), and (13.5) as follows:

**8-15.7-101. Definitions.** As used in this article 15.7, unless the context otherwise requires:

(2) "Apprenticeable occupation" means an occupation specified by an industry that involves the progressive attainment of skills, competencies, and knowledge that are:

(c) Offered through a time-based, competency-based, or hybrid model that the director has determined meets the requirements of this article 15.7 and ~~29 CFR 29 and 30~~ CONFORMS WITH FEDERAL REGULATIONS.

(3) "Apprenticeship agreement" means a written agreement between an apprentice and a sponsor OR AN APPRENTICESHIP COMMITTEE ACTING AS AGENT FOR THE SPONSOR, IN CONFORMITY WITH FEDERAL REGULATIONS.

(4) "Apprenticeship program" means ~~a program that:~~

~~(a) Is established by a sponsor for training individuals for one or more apprenticeable occupations;~~

~~(b) Combines on-the-job training and related instruction according to the specifications established by federal law and this article 15.7~~ A PLAN CONTAINING ALL TERMS AND CONDITIONS FOR THE QUALIFICATION, RECRUITMENT, SELECTION, EMPLOYMENT, AND TRAINING OF APPRENTICES THAT MEETS THE REQUIREMENTS OF THIS ARTICLE 15.7 AND CONFORMS WITH FEDERAL REGULATIONS, INCLUDING THE REQUIREMENT FOR A WRITTEN APPRENTICESHIP AGREEMENT.

(6) ~~"Certificate of registration" means a document issued by the SAA to a sponsor that indicates that the sponsor's apprenticeship program is registered pursuant to this article 15.7~~ DOCUMENTATION THAT A REGISTRATION AGENCY HAS REGISTERED AN APPRENTICESHIP PROGRAM PURSUANT TO THIS ARTICLE 15.7 AND IN CONFORMITY WITH FEDERAL REGULATIONS, AS EVIDENCED BY A CERTIFICATE OF REGISTRATION OR OTHER WRITTEN DOCUMENTATION.

(6.3) "COMMITTEE FOR APPRENTICESHIP IN NEW AND EMERGING INDUSTRIES" OR "CANEI" MEANS THE COMMITTEE FOR APPRENTICESHIP IN NEW AND EMERGING INDUSTRIES CREATED IN SECTION 8-15.7-104.

(6.5) "COMMITTEE FOR APPRENTICESHIP IN THE BUILDING AND CONSTRUCTION TRADES" OR "CABCT" MEANS THE COMMITTEE FOR APPRENTICESHIP IN THE BUILDING AND CONSTRUCTION TRADES CREATED IN SECTION 8-15.7-103.

(9.5) "FEDERAL REGULATIONS" MEANS THE REGULATIONS PROMULGATED BY THE UNITED STATES SECRETARY OF LABOR UNDER THE "NATIONAL APPRENTICESHIP ACT", 29 U.S.C. SEC. 50.

(10) ~~"Interagency advisory committee on apprenticeship" or "IAC" means the interagency advisory committee on apprenticeship created in section 8-15.7-104.~~

(12.5) "RECOGNIZED STATE APPRENTICESHIP AGENCY" MEANS THE STATE APPRENTICESHIP AGENCY, IF RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR, OR ANY OTHER STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR AS THE APPRENTICESHIP AGENCY FOR THE STATE.

(13.5) "REGISTRATION AGENCY" MEANS THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP OR A RECOGNIZED STATE APPRENTICESHIP AGENCY.

(14) ~~"Registration of an apprenticeship program" or "Registration of apprenticeship programs" means the registration by the SAA of an apprentice program that meets the basic standards and requirements established pursuant to this article 15.7 for purposes of meeting federal requirements, as evidenced by a certificate of registration~~ ACCEPTANCE AND

RECORDING OF AN APPRENTICESHIP PROGRAM BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP, OR REGISTRATION OR APPROVAL BY A STATE APPRENTICESHIP AGENCY THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP IN CONFORMITY WITH FEDERAL REGULATIONS. APPROVAL IS EVIDENCED BY A CERTIFICATE OF REGISTRATION OR OTHER WRITTEN DOCUMENTATION.

(15) "Sponsor" means: ~~an employer, a joint labor-management organization, a trade association, a professional association, a labor organization, an education and training provider, or a qualified intermediary that is applying to register an apprenticeship program.~~

(a) ANY PERSON, ASSOCIATION, COMMITTEE, OR ORGANIZATION OPERATING AN APPRENTICESHIP PROGRAM AND IN WHOSE NAME THE PROGRAM IS REGISTERED OR APPROVED; OR

(b) ANY PERSON, ASSOCIATION, COMMITTEE, OR ORGANIZATION THAT IS OPERATING AN APPRENTICESHIP PROGRAM AND IS APPLYING TO HAVE THE APPRENTICESHIP PROGRAM REGISTERED OR APPROVED IN ITS NAME.

(17) "State apprenticeship council" or "SAC" means the state apprenticeship council ~~created in~~ ESTABLISHED PURSUANT TO section ~~8-15.7-103~~ 8-15.7-105.

**SECTION 4.** In Colorado Revised Statutes, 8-15.7-102, **amend** (1) and (4); and **add** (1)(b.5) and (5) as follows:

**8-15.7-102. State apprenticeship agency - created - director - powers and duties - rules.** (1) There is ~~hereby~~ created in the department the state apprenticeship agency. The executive director shall appoint a director of the SAA. The SAA shall:

(a) Serve as the primary point of contact with the United States department of labor's office of apprenticeship;

(b) Accelerate new apprenticeship program growth on a geographically diverse basis, especially in high-demand occupations, while ensuring quality standards;

(b.5) ESTABLISH THE STATE APPRENTICESHIP COUNCIL, WHICH OPERATES UNDER THE DIRECTION OF THE SAA, TO PROVIDE ADVICE AND GUIDANCE TO THE SAA;

~~(c) Encourage the development of and assist in the establishment of apprenticeship programs and promote enrollment in apprenticeship programs by providing technical and compliance assistance to sponsors; apprentices, and apprenticeship programs and ensuring program compliance with apprenticeship standards~~ PROVIDE ADMINISTRATIVE SUPPORT TO THE SAC IN CARRYING OUT ITS DUTIES;

~~(d) Register and oversee apprenticeship programs and apprenticeship agreements~~ WORK IN PARTNERSHIP WITH RELEVANT STATE AGENCIES TO REDUCE DUPLICATION OF POST-SECONDARY PROGRAM APPROVAL;

~~(e) Issue certificates of registration to existing apprenticeship programs~~ SEEK RECOGNITION BY THE UNITED STATES DEPARTMENT OF LABOR AND OPERATE THE SAA IN CONFORMITY WITH FEDERAL REGULATIONS;

~~(f) Issue certificates of registration to sponsors of apprenticeship programs;~~ COORDINATE THE REGISTERED APPRENTICESHIP PROGRAMS WITH COLORADO'S ECONOMIC DEVELOPMENT STRATEGIES AND PUBLICLY FUNDED WORKFORCE INVESTMENT SYSTEM; AND

~~(g) Determine required standards for registration of an apprenticeship program;~~

~~(h) Perform quality assurance assessments;~~

~~(i) Approve the appropriate implementation of an apprenticeship program;~~

~~(j) Maintain adequate records concerning registration requirements; approved program standards, the apprentices in each registered apprenticeship program, deregistration actions, compliance reviews and investigations, and any other matters stipulated by the United States department of labor's office of apprenticeship that are pertinent to compliance by apprenticeship programs with the requirements of this article~~



~~15.7;~~

(k) Monitor and evaluate apprenticeship programs' performance and compliance with federal and state standards. ~~and report to the SAC and the IAC on the outcome of quality assurance assessments;~~

(l) ~~Complete deregistration of apprenticeship programs that do not meet the requirements of this article 15.7;~~

(m) ~~Review apprenticeship programs for reinstatement of registration;~~

(n) ~~Submit an equal employment opportunity in apprenticeship state plan to the United States department of labor's office of apprenticeship;~~

(o) ~~Create a policy of reciprocity with other states to ensure the registration of apprenticeship programs;~~

(p) ~~Award certificates of completion and monitor apprentices with active status, apprenticeship completions, and the ongoing operation of registered apprenticeship programs;~~

(q) ~~Provide administrative support to the SAC and the IAC in carrying out their duties; and~~

(r) ~~Work in partnership with relevant state agencies to reduce duplication of post-secondary program approval.~~

(4) The director may promulgate rules as necessary to implement this article 15.7, ~~including rules affecting the registration, performance, and legal compliance of apprenticeship programs~~ WHICH RULES MUST CONFORM WITH FEDERAL REGULATIONS.

(5) (a) THE DIRECTOR MAY:

(I) APPROVE THE REGISTRATION OF APPRENTICESHIP PROGRAMS IN CONFORMITY WITH FEDERAL REGULATIONS; AND

(II) APPROVE THE DEREGISTRATION OF APPRENTICESHIP PROGRAMS AT THE REQUEST OF THE SPONSOR OR AFTER A HEARING PURSUANT TO

SECTION 8-15.7-107.

(b) THE DETERMINATION OF THE DIRECTOR IS A FINAL AGENCY ACTION THAT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106.

**SECTION 5.** In Colorado Revised Statutes, 8-15.7-103, **amend** (1), (2)(a) introductory portion, (2)(a)(II) introductory portion, (2)(c), (2)(f) introductory portion, (2)(f)(I), (2)(g), and (3) as follows:

**8-15.7-103. Committee for apprenticeship in the building and construction trades - created - members - powers and duties.** (1) The director shall establish the ~~state apprenticeship council to oversee~~ COMMITTEE FOR APPRENTICESHIP IN THE BUILDING AND CONSTRUCTION TRADES AS A SUBCOMMITTEE OF THE SAC TO ADVISE THE SAA ON registered apprenticeship programs for the building and construction trades in the state.

(2) (a) The ~~SAC~~ CABCT consists of sixteen members appointed as follows:

(II) The governor shall appoint seven nonvoting, ex officio members to serve on the ~~SAC~~ CABCT and the ~~IAC~~ CANEI as follows:

(c) The director shall appoint one member of the ~~SAC~~ CABCT to serve as the chair for a term of two years. A chair may be appointed to serve no more than two full terms.

(f) The ~~SAC~~ CABCT:

(I) Shall meet at least quarterly and at the request of the director as needed to accomplish the objectives of the ~~SAC~~ CABCT;

(g) No member of the ~~SAC~~ CABCT may receive any compensation from an apprenticeship program.

(3) For the building and construction trades, the ~~SAC~~ CABCT shall PERFORM THE FOLLOWING DUTIES AS A SUBCOMMITTEE OF THE SAC:

(a) ~~Register with and maintain the standards of the United States~~

~~department of labor's office of apprenticeship and develop minimum standards for registration of apprenticeship programs~~ ADVISE THE SAA ON THE MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP PROGRAMS;

(b) ~~Resolve conflicts and complaints that arise between parties to an apprenticeship agreement when a conflict exists, after the conflict has been addressed by local entities charged with this function under the relevant apprenticeship program standards and the SAA~~ ADVISE THE SAA ON STATE PLANS, RULES, AND ADMINISTRATIVE PROCEDURES PERTINENT TO THE OPERATION OF APPRENTICESHIP PROGRAMS AND EQUAL EMPLOYMENT OPPORTUNITIES IN APPRENTICESHIPS;

(c) ~~Review program performance standards and make findings of fact and decisions on enforcement actions based on each review~~ SUPPORT THE SAA IN COMMUNICATIONS, TECHNICAL ASSISTANCE, AND PROMOTING PROMISING PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS; AND

(d) ~~Recommend additions and changes concerning rules about apprenticeship programs to the director;~~ PROVIDE AN ANNUAL REPORT TO THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED BY AGE, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY.

(e) ~~Provide technical and professional guidance for identifying and promoting best practices in registered apprenticeship programs;~~

(f) ~~Develop administrative policies that ensure the safety and quality of registered apprenticeship programs and address, as warranted, the related needs of Colorado's businesses, the labor workforce, and communities;~~

(g) ~~Provide an annual report to the executive director with apprenticeship data disaggregated by age of population, race, gender, veteran status, disability, and industry;~~

(h) ~~Advise the SAA regarding effective performance of the SAC's assigned functions; and~~

(i) ~~Formulate policies for the building and construction trades as may be necessary to carry out the purposes of this article~~ 15.7.

**SECTION 6.** In Colorado Revised Statutes, 8-15.7-104, **amend** (1), (2)(a) introductory portion, (2)(a)(II), (2)(b)(III), (2)(e) introductory portion, (2)(e)(I), (2)(f), and (3) as follows:

**8-15.7-104. Committee for apprenticeship in new and emerging industries - created - members - powers and duties.** (1) The director shall establish the ~~interagency advisory committee on apprenticeship to oversee~~ COMMITTEE FOR APPRENTICESHIP IN NEW AND EMERGING INDUSTRIES AS A SUBCOMMITTEE OF THE SAC TO ADVISE THE SAA ON apprenticeship programs that are not within the jurisdiction of the ~~SAC~~ CABCT.

(2) (a) The ~~IAC~~ CANEI consists of fourteen members appointed as follows:

(II) The governor shall appoint ~~the~~ six nonvoting, ex officio members, one of whom is a representative of the department of higher education, and five of whom are appointed pursuant to section 8-15.7-103 (2)(a)(II), to the ~~IAC~~ CANEI.

(b) (III) The director shall appoint one member of the ~~IAC~~ CANEI to serve as the chair for a term of two years. A chair may be appointed to serve no more than two full terms.

(e) The ~~IAC~~ CANEI:

(I) Shall meet at least quarterly and at the request of the director as needed to accomplish the objectives of the ~~IAC~~ CANEI;

(f) No member of the ~~IAC~~ CANEI may receive any compensation from an apprenticeship program.

(3) For all apprenticeships that are not within the building and construction trades and not under the jurisdiction of the ~~SAC~~ CABCT, the ~~IAC~~ CANEI shall PERFORM THE FOLLOWING DUTIES AS A SUBCOMMITTEE OF THE SAC:

(a) ~~Register with and maintain the standards of the United States department of labor's office of apprenticeship and develop minimum standards for registration of apprenticeship programs~~ ADVISE THE SAA ON

THE MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP PROGRAMS;

~~(b) Resolve conflicts and complaints that arise between parties to an apprenticeship agreement when a conflict exists, after the conflict has been addressed by local entities charged with this function under the relevant apprenticeship program standards and the SAA~~ ADVISE THE SAA ON STATE PLANS, RULES, AND ADMINISTRATIVE PROCEDURES PERTINENT TO THE OPERATION OF APPRENTICESHIP PROGRAMS AND EQUAL EMPLOYMENT OPPORTUNITIES IN APPRENTICESHIPS;

~~(c) Review program performance standards and make findings of fact and decisions on enforcement actions based on each review~~ SUPPORT THE SAA IN COMMUNICATIONS, TECHNICAL ASSISTANCE, AND PROMOTING PROMISING PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS; AND

~~(d) Recommend additions and changes concerning rules about apprenticeship programs to the director;~~ PROVIDE AN ANNUAL REPORT TO THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED BY AGE, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY.

~~(e) Provide technical and professional guidance for identifying and promoting best practices in registered apprenticeship programs;~~

~~(f) Develop administrative policies that ensure the safety and quality of registered apprenticeship programs and address, as warranted, the related needs of Colorado's businesses, the labor workforce, and communities;~~

~~(g) Provide an annual report to the executive director with apprenticeship data disaggregated by age of population, race, gender, veteran status, disability, and industry;~~

~~(h) Advise the SAA regarding effective performance of the IAC's assigned functions; and~~

~~(i) Formulate policies for the industries within the IAC's jurisdiction as may be necessary to carry out the purposes of this article 15.7.~~

**SECTION 7.** In Colorado Revised Statutes, **amend** 8-15.7-105 as follows:

**8-15.7-105. State apprenticeship council - created - members powers - duties.** (1) (a) ~~The chairs of the SAC and the IAC shall establish an ad hoc joint resolution committee of the SAC and IAC, referred to in this section as the "ad hoc committee". The ad hoc committee consists of two members from both the IAC and the SAC appointed by the director. The ad hoc committee shall resolve conflicts that arise between the SAC and the IAC and shall define the jurisdiction of the SAC and the IAC.~~ THE DIRECTOR SHALL ESTABLISH THE STATE APPRENTICESHIP COUNCIL TO PROVIDE ADVICE AND GUIDANCE TO THE STATE APPRENTICESHIP AGENCY ON THE OPERATION OF THE STATE'S APPRENTICESHIP SYSTEM.

(b) THE SAC:

(I) IS COMPOSED OF PERSONS FAMILIAR WITH APPRENTICEABLE OCCUPATIONS;

(II) INCLUDES AN EQUAL NUMBER OF REPRESENTATIVES OF EMPLOYER AND EMPLOYEE ORGANIZATIONS AND INCLUDES MEMBERS OF THE PUBLIC WHO MUST NOT NUMBER MORE THAN THE NUMBER OF REPRESENTATIVES OF EITHER EMPLOYER OR EMPLOYEE ORGANIZATIONS;

(III) INCLUDES ALL THE MEMBERS OF THE CABCT AND CANEI.

(c) THE CHAIRS OF THE CABCT AND CANEI SHALL SERVE AS CO-CHAIRS OF THE SAC.

(1.5) THE SAC MAY CONVENE ADDITIONAL SUBCOMMITTEES AS NEEDED TO FULFILL ITS DUTIES.

(2) ~~The ad hoc committee of the SAC and the IAC~~ SAC shall:

(a) Publish a statement defining the ~~SAC's~~ CABCT's jurisdiction of the building and construction trades, and update the statement periodically as necessary as determined by the ~~ad hoc committee~~ SAC; and

(b) Resolve conflicts and complaints that arise between the ~~SAC~~ CABCT and the ~~IAC~~ CANEI as determined by the ~~ad hoc committee~~ SAC.

(3) If there is a tie among the ~~ad hoc committee~~ SAC members in determining a resolution to a conflict, the director shall break the tie. A

decision of the ~~ad hoc committee~~ SAC is final.

(4) The ~~SAC~~ CABCT has jurisdiction over apprenticeship programs for occupations in the building and construction trades. For purposes of this section, occupations are in the building and construction trades if either:

(a) Workers in the occupation perform construction, reconstruction, renovation, alteration, demolition, painting, repair, or maintenance work for roads, highways, buildings, structures, industrial facilities, OR ENERGY PRODUCTION, ENERGY TRANSMISSION, OR ENERGY DISTRIBUTION, or improvements of any type; or

(b) Apprentices in the apprenticeship program will be employed by licensed contractors.

**SECTION 8.** In Colorado Revised Statutes, 8-15.7-106, **amend** (1), (2), (3)(a), and (3)(b)(III) as follows:

**8-15.7-106. Application for registration of apprenticeship programs - diversity initiatives - deregistration - rules.** (1) ~~On and after July 1, 2023~~ WITHIN THIRTY DAYS AFTER THE UNITED STATES DEPARTMENT OF LABOR RECOGNIZES THE SAA, the SAA shall accept applications for the registration of apprenticeship programs ~~pursuant to 29 CFR 29 and 30~~ IN CONFORMITY WITH FEDERAL REGULATIONS.

(2) Each apprenticeship program that registers with the SAA shall adopt a written diversity recruitment plan that ensures equal opportunity in the recruitment, selection, employment, and training of apprentices. The ~~recruitment plan must include the adoption of~~ COMPLY WITH federal regulations concerning equal employment. ~~under 29 CFR 29 and 30.~~ The SAA shall ~~ensure compliance with the federal regulations by filing the~~ FILE A COMPLIANT equal employment opportunity in apprenticeship state plan ~~pursuant to section 8-15.7-102 (1)(n)~~ IN CONFORMITY WITH FEDERAL REGULATIONS.

(3) (a) The SAA may deregister an apprenticeship program at the request of the sponsor or, after a hearing ~~pursuant to section 8-15.7-107~~ IN CONFORMITY WITH FEDERAL REGULATIONS, for noncompliance with this article 15.7 pursuant to conditions and rules established by the SAA.

(b) Any apprenticeship program deregistered for noncompliance with this article 15.7 or any rules promulgated pursuant to this article 15.7 may present evidence to the SAA that the program is compliant. The apprenticeship program's registration may be reinstated:

(III) If the apprenticeship program is prepared to ~~immediately~~ enroll one or more apprentices.

**SECTION 9.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, 8-15.7-107 as follows:

**8-15.7-107. Hearings.** (1) THE SAA SHALL CONDUCT HEARINGS FOR THE PURPOSE OF RESOLVING COMPLIANCE ISSUES OR DEREGISTRATION ISSUES WITH A REGISTERED APPRENTICESHIP PROGRAM IN CONFORMITY WITH FEDERAL REGULATIONS.

(2) THE DETERMINATION OF THE SAA IS A FINAL AGENCY ACTION THAT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106.

(3) SPONSORS MAY APPEAL TO THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP FOR A FINAL DETERMINATION IN CONFORMITY WITH FEDERAL REGULATIONS.

**SECTION 10.** In Colorado Revised Statutes, 8-15.7-108, **amend** (1) introductory portion and (1)(d) as follows:

**8-15.7-108. Rules.** (1) The director may promulgate rules to implement this article 15.7, ~~including~~ WHICH RULES MUST CONFORM WITH FEDERAL REGULATIONS. THE RULES MAY INCLUDE, BUT ARE NOT LIMITED TO, rules that address:

(d) Grievance procedures for complaints not under the jurisdiction of the United States equal employment opportunity commission, including complaints concerning apprentices not moving through an apprenticeship program in a timely manner and insufficient on-the-job ~~training~~ LEARNING or classroom time.

**SECTION 11.** In Colorado Revised Statutes, 8-14.3-202, **amend** (2) as follows:



**8-14.3-202. Definitions.** As used in this part 2, unless the context otherwise requires:

(2) "Apprenticeship" means an apprenticeship training program registered with the United States department of labor's office of apprenticeship or a state apprenticeship ~~program~~ AGENCY recognized by the United States department OF labor.

**SECTION 12.** In Colorado Revised Statutes, 8-73-108, **amend** (4)(f)(I)(E) as follows:

**8-73-108. Benefit awards - definitions. (4) Full award.** An individual separated from a job must be given a full award of benefits if the division determines that any of the following reasons and pertinent related conditions exist. The determination of whether or not the separation from employment must result in a full award of benefits is the responsibility of the division. The following reasons must be considered, along with any other factors that may be pertinent to such determination:

(f) (I) Due to the particular nature of the building and construction industry, construction workers who quit a construction job to accept a different construction job in any of the following circumstances:

(E) Quitting a job outside the worker's regular apprenticeable trade to return to work in ~~his or her~~ THE WORKER'S regular apprenticeable trade. ~~For purposes of this paragraph (f), a~~ AS USED IN THIS SUBSECTION (4)(f), "regular apprenticeable trade" ~~is~~ MEANS a skilled trade or occupation in the construction industry in which, by longstanding and recognized practice of a significant segment of the industry, a worker generally must complete a period of apprenticeship or training pursuant to a joint apprenticeship or other apprenticeship program ~~which~~ THAT is in accordance with requirements for programs registered with the federal government OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR. A worker may have more than one regular apprenticeable trade.

**SECTION 13.** In Colorado Revised Statutes, 8-83-502, **amend** (5)(d) as follows:

**8-83-502. Definitions.** As used in this part 5, unless the context

otherwise requires:

(5) "Eligible entity" means the following entities that serve a coal transition community and that may apply for a grant:

(d) An apprenticeship program that is registered with the United States department of labor or a state apprenticeship ~~council~~ AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR;

**SECTION 14.** In Colorado Revised Statutes, 8-83-504.5, **amend** (1)(a)(III)(A) as follows:

**8-83-504.5. Additional coal transition workforce assistance program funding - coal transition workforce assistance program account.** (1) (a) (III) Subject to annual appropriation by the general assembly, the department shall expend money from the account for coal transition workforce assistance programs that directly assist coal transition workers or their family members and other household members, including programs that:

(A) Establish or expand existing apprenticeship programs, the training capacity of such programs, and the placement of coal transition workers into such programs, prioritizing programs that are recognized as registered apprenticeship programs by the department or ~~are industry-recognized apprenticeship programs that satisfy United States department of labor requirements for such programs~~ A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR;

**SECTION 15.** In Colorado Revised Statutes, 8-83-601, **amend** (7) as follows:

**8-83-601. Definitions.** As used in this part 6:

(7) "Office" means the office of future OF work ~~described~~ CREATED in section ~~8-77-110~~ 8-15.8-103.

**SECTION 16.** In Colorado Revised Statutes, 12-115-115, **amend** (3)(c) as follows:

**12-115-115. Apprentices - supervision - registration - discipline - rules.** (3) (c) By ~~January 1, 2022, and by~~ January 1 each year, ~~thereafter,~~ an electrical contractor, an apprenticeship program registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP, and a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor that employs an apprentice in this state shall report to the board the name and contact information of each apprentice in the apprenticeship program and the cumulative number of practical training hours and certified classroom hours each apprentice has completed toward the journeyman electrician licensure requirements specified in section 12-115-110. The board shall keep the information reported pursuant to this subsection (3)(c) confidential from all parties other than from the apprentice through the apprentice's individual registration account. The department of regulatory agencies shall, if existing resources are available or if the department receives gifts, grants, or donations pursuant to subsection (7) of this section, indicate whether the apprentice has completed the required practical training hours and classroom hours in the department of regulatory agency's online apprenticeship directory.

**SECTION 17.** In Colorado Revised Statutes, 12-155-124, **amend** (3) and (6) as follows:

**12-155-124. Apprentices - rules.** (3) By ~~July 1, 2022, and by~~ July 1 each year, ~~thereafter,~~ a registered plumbing contractor, an apprenticeship program registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP, and a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor that employs a plumbing apprentice in this state shall report to the board the name and contact information of each plumbing apprentice in the apprenticeship program and the cumulative number of practical training hours each plumbing apprentice has completed toward the licensure requirements specified in section 12-155-110. The board shall keep the information reported pursuant to this subsection (3) confidential from all parties other than from the plumbing apprentice through the plumbing apprentice's individual registration account. The department of regulatory agencies shall, if existing resources are available or if the department receives gifts, grants, or donations pursuant to subsection (8) of this section, indicate whether the plumbing apprentice has completed the required practical training hours in the department of regulatory agencies' online

apprenticeship directory.

(6) A registered plumbing contractor, an apprenticeship program registered with the United States department of labor's ~~employment and training—administration~~ OFFICE OF APPRENTICESHIP, and a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor shall remove each plumbing apprentice that is no longer employed as an apprentice from the apprenticeship program and annually notify the board of the termination of the employment.

**SECTION 18.** In Colorado Revised Statutes, 22-35-103, **amend** (1) as follows:

**22-35-103. Definitions.** As used in this article 35, unless the context otherwise requires:

(1) "Apprenticeship program" means a Colorado-based apprenticeship program that is registered with the United States department of labor's office of apprenticeship or a state apprenticeship ~~program~~ AGENCY recognized by the United States department of labor.

**SECTION 19.** In Colorado Revised Statutes, 22-54-138, **amend** (1)(b) and (1)(c)(II) as follows:

**22-54-138. Career development success program - created - funding - report - legislative declaration - definitions - repeal.** (1) As used in this section, unless the context otherwise requires:

(b) "Construction industry apprenticeship program" means an apprenticeship program registered with the office of apprenticeship in the United States department of labor or a state apprenticeship ~~program~~ AGENCY recognized by the United States department of labor that trains individuals for careers in the construction industry.

(c) "Construction industry pre-apprenticeship program" means a program or set of strategies that:

(II) Has a documented relationship with at least one apprenticeship program registered with the office of apprenticeship in the United States department of labor or a state apprenticeship ~~program~~ AGENCY recognized

by the United States department of labor; and

**SECTION 20.** In Colorado Revised Statutes, 24-1-121, **add** (3)(m) as follows:

**24-1-121. Department of labor and employment - creation.**

(3) The department of labor and employment consists of the following divisions and programs:

(m) THE OFFICE OF FUTURE OF WORK, THE HEAD OF WHICH IS THE DIRECTOR OF THE OFFICE OF FUTURE OF WORK, CREATED IN SECTION 8-15.8-103. THE OFFICE OF FUTURE OF WORK AND THE OFFICE'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS SPECIFIED BY LAW UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

**SECTION 21.** In Colorado Revised Statutes, 24-46.3-103, **repeal** (3)(a)(VIII) as follows:

**24-46.3-103. Key industries talent pipeline working group.**

(3) (a) In doing the work specified in subsection (2) of this section, the state council, in partnership with the department of higher education, the department of education, the department of labor and employment, and the Colorado office of economic development, shall coordinate the production of an annual Colorado talent report. In preparing the annual Colorado talent report, the state council, the departments, and the office may use previously collected data and are not required to collect new data for the purposes of the report. The talent report shall:

~~(VIII) Include the report and recommendations from the department of labor and employment regarding pre-apprenticeship and apprenticeship in Colorado, prepared as required by section 8-15-101, C.R.S.; and~~

**SECTION 22.** In Colorado Revised Statutes, 24-46.3-104, **amend** (2)(a); and **add** (2)(b.5) as follows:

**24-46.3-104. Career pathways - design - legislative declaration**

**- definitions.** (2) As used in this section, unless the context otherwise requires:

(a) "Apprenticeship" means a registered apprenticeship program with a written plan that is designed to move an apprentice from a low- or no-skill entry-level position to full occupational proficiency. The program must comply with the parameters established under the "National Apprenticeship Act", 29 U.S.C. sec. 50, as amended, and ~~its promulgating~~ regulations PROMULGATED UNDER THE ACT, and MUST BE administered by the United ~~State's~~ STATES department of labor's office of apprenticeship or ~~must be~~ a state apprenticeship ~~program~~ AGENCY recognized by the United States department of labor. An individual business, an employer association, or a labor organization sponsors a registered apprenticeship. Upon finishing a training program, the apprentice earns a "completion of registered apprenticeship" certificate, which is an industry-issued and nationally recognized credential that validates proficiency in an apprenticeable occupation, or is awarded a certificate of completion. ~~pursuant to article 15.7 of title 8.~~

(b.5) "CERTIFICATE OF COMPLETION" MEANS A CERTIFICATE AWARDED TO AN APPRENTICE IN RECOGNITION OF THE SUCCESSFUL COMPLETION OF AN APPRENTICESHIP PROGRAM.

**SECTION 23.** In Colorado Revised Statutes, 24-46.3-301, **amend** (1) as follows:

**24-46.3-301. Definitions.** As used in this part 3, unless the context otherwise requires:

(1) "Apprenticeship program" means a Colorado-based apprenticeship training program that is registered with the office of apprenticeship in the United States department of labor or a state apprenticeship ~~program~~ AGENCY recognized by the United States department of labor.

**SECTION 24.** In Colorado Revised Statutes, 24-46.3-503, **amend** (5)(a)(II) and (5)(b) as follows:

**24-46.3-503. Strengthening photovoltaic and renewable careers (SPARC) workforce development program - creation - use of funds.**  
(5) (a) SPARC program activities or expenditures authorized pursuant to this part 5 must not:

(II) Circumvent any established industry standard for on-the-job training requirements or classroom education requirements of the established Colorado apprenticeship programs registered through the United States department of ~~labor~~ LABOR'S office of apprenticeship training or a state apprenticeship ~~council~~ AGENCY recognized by that office.

(b) To the extent possible, the SPARC program must support activities that support participation in Colorado apprenticeship programs registered through the United States department of ~~labor~~ LABOR'S office of apprenticeship training or a state apprenticeship ~~council~~ AGENCY recognized by that office and prioritize programs that seek to help workers attain a professional credential, an industry standard certification, or a professional license.

**SECTION 25.** In Colorado Revised Statutes, 24-46.3-702, **amend** (2) as follows:

**24-46.3-702. Definitions.** As used in this part 7, unless the context otherwise requires:

(2) "Apprenticeship sponsor" means an employer, association, committee, or organization that operates an apprenticeship program registered with the United States department of ~~labor~~ LABOR'S OFFICE OF APPRENTICESHIP OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THAT OFFICE.

**SECTION 26.** In Colorado Revised Statutes, 24-75-112, **amend** (1)(d)(V) as follows:

**24-75-112. Annual general appropriation act - headnote definitions - general provisions - footnotes.** (1) As used in the annual general appropriation act, the following definitions and general provisions shall apply for the headnote terms preceding and specifying the purpose of certain line items of appropriation:

(d) (V) The number of FTE specified in a particular item of appropriation is the number utilized to calculate the amount appropriated and necessary to fund any combination of part-time positions or full-time positions equal to such number for the fiscal year to which the annual general appropriation act pertains in accordance with the definition

contained in subsections (1)(d)(II) and (1)(d)(III) of this section and is not a limitation on the number of FTE that may be employed. No department shall make a material change in the number of FTE specified in a particular item of appropriation prior to notifying the joint budget committee in writing of such change. This subsection (1)(d)(V) does not apply to ~~department of personnel and administration~~ state trainee positions.

**SECTION 27.** In Colorado Revised Statutes, 24-92-103.5, **amend** (3)(g) as follows:

**24-92-103.5. Construction of public projects - invitation for best value bids.** (3) The invitation for competitive sealed best value bids must identify the evaluation factors upon which the award will be made. When making the award determination, the responsible officer shall evaluate the factors specified in the invitation for bids and shall not evaluate any other factors other than those specified in the invitation for bids. The factors that must be included in the invitation for bids and that the responsible officer shall consider include, but need not be limited to:

(g) The bidder's job standards, including the bidder's method of personnel procurement, employment of Colorado workers, workforce development and long-term career opportunities of workers, the availability of training programs, including apprenticeships ~~approved~~ REGISTERED by the United States department of ~~labor~~ LABOR'S OFFICE OF APPRENTICESHIP OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THAT OFFICE, the benefits provided to workers, including health-care and defined benefit or defined contribution retirement benefits, and whether the bidder pays industry-standard wages; and

**SECTION 28.** In Colorado Revised Statutes, 24-92-115, **amend** (1)(a)(II) introductory portion, (1)(a)(III), (6)(a) introductory portion, and (6)(a)(I) as follows:

**24-92-115. Apprenticeship utilization requirements - mechanical, electrical, and plumbing contracts - public projects - definition.** (1) (a) Unless prohibited by applicable federal law, and except as otherwise provided in subsection (1)(b) of this section, the contract for any public works project that does not receive federal money, including a public project that will have an integrated project delivery contract pursuant to article 93 of this title 24, in the amount of one million dollars or more



shall require the general contractor or other firm to which the contract is awarded to submit, at the time the mechanical, electrical, or plumbing subcontractor is put under contract, documentation to the agency of government that:

(II) Certifies that all firms identified participate in apprenticeship programs registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP OR A state apprenticeship ~~councils~~ AGENCY recognized by the United States department of labor and have a proven record of graduating apprentices as follows:

(III) Supplies supporting documentation from the United States department of labor's office of apprenticeship OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR verifying the information provided in the certification specified in subsection (1)(a)(II) of this section.

(6) (a) To promote and facilitate the development of new apprenticeship programs, an apprenticeship program that does not satisfy the requirements of subsection (1)(a) of this section may petition the department of labor and employment for conditional approval for THE purposes of this section. To be allowed conditional approval, an apprenticeship program must demonstrate the following:

(I) The program has been registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or a state apprenticeship ~~council~~ AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR and has been providing training for at least six months; and

**SECTION 29.** In Colorado Revised Statutes, 24-92-208, **amend** (2)(b) as follows:

**24-92-208. Apprenticeship contribution rate.** (2) The amount of the apprenticeship contribution will be set in accordance with the apprenticeship contribution of the collective bargaining agreement of the applicable trade in the geographic locality of the public project. Contractors shall achieve compliance with this requirement by one of the following options:

(b) Contractors that are not signatory to a collective bargaining agreement but that are members of a multi-employer trade association that sponsors an apprenticeship program registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP OR A STATE APPRENTICESHIP AGENCY recognized by the United States department of labor, or THAT directly sponsor such a program for their own employees, shall pay the determined apprenticeship contribution to that program or to a state apprenticeship ~~council~~ registered with AGENCY RECOGNIZED BY the United States department of labor; or

**SECTION 30.** In Colorado Revised Statutes, 30-20-1105, **amend** (3) introductory portion as follows:

**30-20-1105. Integrated project delivery contracting process - prequalification of participating entities - apprentice training.** (3) Where an apprentice training program ~~certified~~ REGISTERED by the ~~office of apprenticeship in the employment and training administration in~~ the United States department of ~~labor~~ LABOR'S OFFICE OF APPRENTICESHIP or a state apprenticeship ~~program~~ AGENCY recognized by the United States department of labor exists in the county, or a comparable ~~program~~ AGENCY for the training of apprentices is available in the county:

**SECTION 31.** In Colorado Revised Statutes, 40-2-123, **amend** (2)(d)(I) introductory portion as follows:

**40-2-123. Energy technologies - consideration by commission - incentives - demonstration projects - definitions - repeal.** (2) (d) (I) In the construction or expansion of an innovative energy technology project approved pursuant to this subsection (2), an investor-owned utility shall use its own employees or qualified contractors, or both, but shall not use a contractor unless the contractor's employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 32.** In Colorado Revised Statutes, 40-2-126, **amend** (5) introductory portion as follows:

**40-2-126. Transmission facilities - biennial review - energy**

**resource zones - definitions - plans - approval - cost recovery - powerline trail consideration.** (5) In any construction or expansion approved pursuant to this section, the utility shall use its own employees or qualified contractors, or both, but shall not use a contractor unless the contractor's employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 33.** In Colorado Revised Statutes, 40-2-127, **amend** (3.5)(b) introductory portion as follows:

**40-2-127. Community energy funds - community solar gardens - definitions - rules - legislative declaration - repeal.** (3.5) **Standards for construction and operation.** The following requirements apply to any community solar garden exceeding two megawatts:

(b) Following the development or acquisition by a qualifying retail utility of a community solar garden in which the qualifying retail utility retains ownership, the qualifying retail utility shall either use its own employees to operate and maintain the community solar garden or contract for operation and maintenance of the community solar garden by a contractor whose employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or with a state apprenticeship ~~council~~ AGENCY recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 34.** In Colorado Revised Statutes, 40-2-127.5, **amend** (4)(b) introductory portion as follows:

**40-2-127.5. Community energy funds - community geothermal gardens - rules - legislative declaration - definitions - repeal.** (4) **Standards for construction and operation.** The following requirements apply to any community geothermal garden exceeding two megawatts:

(b) Following the development or acquisition by a qualifying retail utility of a community geothermal garden in which the qualifying retail utility retains ownership, the qualifying retail utility shall either use its own employees to operate and maintain the community geothermal garden or

contract for operation and maintenance of the community geothermal garden by a contractor whose employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or with a state apprenticeship ~~council~~ AGENCY recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 35.** In Colorado Revised Statutes, 40-2-129, **amend** (1)(a) and (2) introductory portion as follows:

**40-2-129. New resource acquisitions - factors in determination - local employment - "best value" employment metrics - performance audit.** (1) (a) (I) When evaluating electric resource acquisitions and requests for a certificate of convenience and necessity for construction or expansion of generating facilities, including but not limited to pollution control or fuel conversion upgrades and conversion of existing coal-fired plants to natural gas plants, the commission shall consider, in all decisions involved in electric resource acquisition processes, best value regarding employment of Colorado labor, as defined in section 8-17-101 (2)(a), and positive impacts on the long-term economic viability of Colorado communities. To this end, the commission shall require utilities to obtain and provide to the commission the following information regarding "best value" employment metrics:

(A) The availability of training programs, including training through apprenticeship programs registered with the United States department of labor's office of apprenticeship or by state apprenticeship ~~councils~~ AGENCIES recognized by that office;

(B) Employment of Colorado labor as compared to importation of out-of-state workers;

(C) Long-term career opportunities; and

(D) Industry-standard wages, health care, and pension benefits.

(II) When a utility proposes to construct new facilities of its own, the utility shall supply similar information to the commission.

(2) Following development or acquisition of a generating facility by a utility, for all generating facilities owned by the utility that do not emit

carbon dioxide, the utility shall use utility employees or qualified contractors if the contractors' employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 36.** In Colorado Revised Statutes, 40-3.2-105.5, **amend** (3)(a)(I)(A), (3)(b)(I), and (4)(b)(I) as follows:

**40-3.2-105.5. Labor standards for gas DSM projects.** (3) (a) The utility shall make use of a list, referred to in this section as the "certified contractor list", containing the names and contact information of:

(I) Qualified contractors that participate in apprenticeship programs that:

(A) Are registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or with a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor; and

(b) The Colorado department of labor and employment shall oversee the compilation of the certified contractor list through one of the following methods:

(I) Directing the state apprenticeship ~~council~~ AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR, if available, to assemble the information; or

(4) The following requirements apply to gas DSM projects in new or existing buildings:

(b) (I) For plumbing, mechanical, or electrical projects that involve energy efficiency improvements to central building systems in a multifamily building that contains twenty thousand square feet or more of conditioned floor space and for which a rebate is to be provided directly to the building owner as part of a gas DSM program, the utility shall condition payment of the rebate on the building owner's exclusive use of contractors that participate in apprenticeship programs registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF

APPRENTICESHIP or with a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor for any necessary plumbing or electrical work. If the contractor chosen by the customer is not on the certified contractor list, the utility shall require another method of verifying compliance with this subsection (4)(b).

**SECTION 37.** In Colorado Revised Statutes, 40-3.2-105.6, **amend** (3)(a)(I) and (4)(b)(I) as follows:

**40-3.2-105.6. Labor standards for beneficial electrification projects.** (3) (a) The utility shall obtain from the Colorado department of labor and employment and shall make use of a list, referred to in this section as the "certified contractor list", containing the names and contact information of:

(I) Qualified contractors that participate in apprenticeship programs that are registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or with a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor; and

(4) The following requirements apply to beneficial electrification projects in new or existing industrial, commercial, or multifamily residential buildings:

(b) (I) For plumbing, mechanical, or electrical projects that involve the beneficial electrification of central building systems in a multifamily building that contains twenty thousand square feet or more of conditioned floor space and for which a rebate is to be provided directly to the building owner as part of a beneficial electrification program, the utility shall condition payment of the rebate on the building owner's exclusive use of contractors that participate in apprenticeship programs registered with the United States department of labor's ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or with a state apprenticeship ~~council~~ AGENCY recognized by the United States department of labor for any necessary plumbing or electrical work. If the contractor chosen by the building owner is not on the certified contractor list, the utility shall require another method of verifying compliance with this subsection (4)(b).

**SECTION 38.** In Colorado Revised Statutes, 40-3.2-108, **amend**

(8)(d)(I) as follows:

**40-3.2-108. Clean heat targets - legislative declaration - definitions - plans - rules - reports. (8) Employment and utility workforce.** (d) In all decisions approving clean heat resources to be acquired as part of a clean heat plan, the commission shall consider the long-term impacts on Colorado's utility workforce as part of a just transition and shall give additional weight to a project that includes:

(I) Training programs, including training through the division of employment and training in the department of labor and employment created in section 8-83-102, or APPRENTICESHIP PROGRAMS REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP OR a state apprenticeship ~~council~~ ~~registered with~~ AGENCY RECOGNIZED BY the United States department of labor;

**SECTION 39.** In Colorado Revised Statutes, 40-42-107, **amend** (1)(b) introductory portion as follows:

**40-42-107. Labor standards - apprenticeship - supervision.**

(1) The authority shall ensure that, in any construction, expansion, or maintenance of facilities undertaken in Colorado pursuant to this article 42, all labor is performed either by the employees of an electric utility or by qualified contractors, or both, and that, except as otherwise provided in subsection (3) of this section, an electric utility not use a contractor unless:

(b) The contractor's employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized by that office and meeting the additional criteria specified in subsection (2) of this section; except that this apprenticeship requirement does not apply to:

**SECTION 40. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.



Steve Fenberg  
PRESIDENT OF  
THE SENATE



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

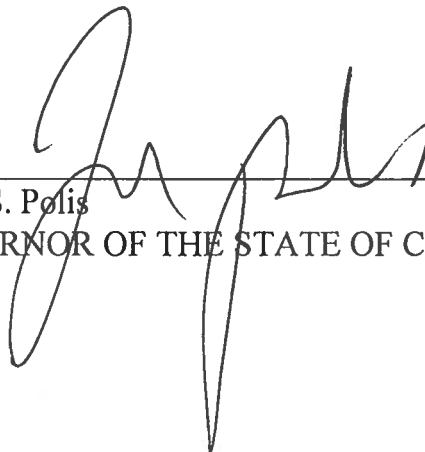


Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED March 23<sup>rd</sup> 2023 at 9:35 am  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO